

JUN 07 2006

UNITED STATES COURT OF APPEALS

at 2 o'clock and 55 min. PM
SUE BEITIA, CLERK

FOR THE NINTH CIRCUIT

FILED

JUN 02 2006

MELODEE H.; et al.,

Plaintiffs - Appellants,

v.

DEPARTMENT OF EDUCATION,
STATE OF HAWAII,

Defendant - Appellee.

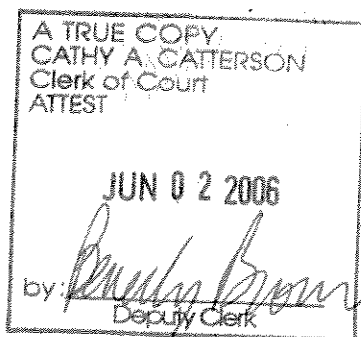
No. 05-16996

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALSD.C. No. CV-04-00670-DAE-
BMKDistrict of Hawaii,
Honolulu

ORDER

Pursuant to the stipulation under Federal Rule of Appellate Procedure 42(b) by appellant and appellee, it is ordered that appeal no. 05-16996 be dismissed. Costs shall be allocated pursuant to the stipulation. A certified copy of this order shall act as and for the mandate of this court.

The Court is in receipt of appellants' motion for extension of time to file the reply brief. The motion is denied as moot.



For the Court:

CATHY A. CATTERSON

Clerk of the Court

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CLERK, U.S. DISTRICT COURT

JUN 07 2006

DISTRICT OF HAWAII

Alihandra M. Totor

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Deputy Clerk

Ninth Cir. R. 27-7/Advisory Note to Rule 27
and Ninth Circuit Rule 27-10

pro 05.29.06